REMARKS

Summary Of Office Action

Claims 1-36 are pending in this application.

Claims 1-4, 7-8, 10, 12-14, 16-19, 21-22, and 33-35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gazdik U.S. Patent 6,324,691 (hereinafter "Gazdik") in view of Yamaguchi U.S. Patent 6,110,229 (hereinafter "Yamaguchi").

Claims 5 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gazdik in view of Yamaguchi in further view of Dewey et al. U.S. Patent 5,652,887.

Claims 23-24, 26-28, 31-32, and 36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Pickett U.S. Patent 5,968,169 (hereinafter "Pickett") in view of Gazdik.

Claims 6, 11, 15, 20, 25, 29, and 30 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reply To Office Action

The Examiner's rejections and objections are respectfully traversed.

I. Rejections Under 35 U.S.C. § 103

Applicants' invention is directed toward a processing engine that receives information via a single input data path. In this new and novel approach, both program data and setup data are passed through the same input path. To identify the input data as either setup data or program data, each piece of input data preferably contains one or more additional bits to identify the data as setup data or program data.

A. Rejections In View Of Gazdik And Yamaguchi

The Examiner cited Gazdik and Yamaguchi contending that Gazdik and Yamaguchi, either alone or in combination, shows each and every element of applicants' claimed invention as defined in claims 1-4, 7-8, 10, 12-14, 16-19, 21-22, and 33-35.

Gazdik is directed towards copying new software code onto a computer system using an installer processing engine. Components of the new code are installed into the computer system using a component-specific data file which is independent of and external to the installer-processing engine, the installation process flow, and other software components. The flow of the installation/uninstallation process is controlled by a separate process-control file which is read and executed by the install/uninstall processing engine.

Yamaguchi is directed to transferring all or a part of a user operating system environment from a first device (e.g.,

an old personal computer) to a second device (e.g., a new personal computer). The user, through a user interface, decides which portions of the environment he would like to transfer. After transferring the information, the second device updates the user environment on the second device accordingly.

1. Gazdik And Yamaguchi, Alone Or In Combination, Fail To Show Or Suggest Receiving Information Via A Single Input Path

Applicants' invention, as defined by independent claims 1, 12, 17, 33, 34, and 35, is directed to, among other things, "receiving said program code, said data, and said control information via a single input data path" (claim 1; *see* similar features in claims 12, 17, 33, 34, and 35).

The Examiner contends that Gazdik discloses receiving program code, data, and control information via a single input path for loading that information into a processing engine. In particular, the Examiner cites the input path of computer system 14 that receives information from install processing engine 11 (Gazdik, FIG. 1). FIG. 1 is a "diagrammatic summary of the invention" (column 4, line 2). As such, FIG. 1 does not show the level of detail necessary to ascertain how many input data paths are represented by the double-headed arrow between computer system 14 and processing engine 11. The same is true for the other arrows shown in FIG. 1. In contrast, note the level of detail shown in applicants' FIGS. 1 and 2.

Furthermore, Gazdik does not in any way disclose or suggest in its specification how many data paths are represented by those arrows.

Accordingly, applicants respectfully submit that Gazdik does not show or suggest receiving program code, data, and control information via a single input path. The Examiner does not contend, and nowhere is it shown or suggested in Yamaguchi, that Yamaguchi shows or suggests the same. Therefore, for at least the reason that Gazdik and Yamaguchi, either alone or in combination, do not show or suggest receiving the information via a single input data path, applicants respectfully submit that independent claims 1, 12, 17, 33, 34, and 35, and claims 2-5, 7-11, 13-16, and 18-22 which depend therefrom, are in condition for allowance.

2. Gazdik And Yamaguchi, Alone Or In Combination, Fail To Show Or Suggest Identifying Data

Among other things, the Examiner admits that Gazdik does not show or suggest receiving identification bits on a single input path. To make up for this deficiency, the Examiner cites Yamaguchi. In particular, the Examiner alleges that Yamaguchi shows program code, data, and control information that includes identification bits that determine whether information is setup data or program data.

The Examiner contends that column 5, lines 9-14, of Yamaguchi discloses applicants' claimed "identification bits."

Particularly, the Examiner contends that Yamaguchi's "setup information D" corresponds to applicants' identification bit for indicating setup data or program data. In the particular example used by Yamaguchi (col. 4, line 58, through col. 5, line 14), Yamaguchi makes specific reference to Windows version "X" and transferring portions of that operating system from a first computer to a second computer. A user environment (represented by "E1(Xn)") is comprised of a number of elements (represented by the "(Xn)") and hierarchical sub-elements. When a user transfers a portion of a Windows environment, an element to be transferred may be "setup." The sub-elements of "setup" are "control panel," "printer," and "task bar." If setup information (assigned environment protocol E1(1)) is selected, that information will have a "1" assigned to it. If unselected, a "0" will be assigned to it. Col. 5, lines 9-15.

The Examiner contends that assigning a "1" to setup information shows or suggests applicants' "identification bits." This is clearly not the case. Applicants respectfully submit that assigning a "1" or a "0" to an environment protocol for determining whether a portion of an environment of a first computer will be transferred to a second computer does not correspond to applicants' identification bit for indicating whether information is setup data or program data. Note in particular that "setup" as used by Yamaguchi merely refers to

that portion of a Windows operating system from which icons for control panel, printer, and task bar may be selected.[1]

Accordingly, for at least the reason that neither Gazdik or Yamaguchi, either alone or in combination, do not show or suggest an identification bit, applicants respectfully submit that independent claims 1, 12, 17, 33, 34, and 35, and claims 2-5, 7-11, 13-16, and 18-22 which depend therefrom, are in condition for allowance.

3. Gazdik And Yamaguchi, Alone Or In Combination, Fail To Show Or Suggest Automatically Switching

In rejecting claims 12 and 34, the Examiner contends that Gazdik discloses "switching from setup to run mode" citing column 8, lines 35-46 of Gazdik (Office Action, page 3). This portion of Gazdik refers to Management Information Systems (MIS) personnel adding a switch to an installation program such that the program will install the software on an end user's machine without requiring any user interaction when the end user connects their machine to a network.

Claim 12 features "automatically switching said processing engine from setup mode to run mode" and "automatically switching said processing engine from run mode to

[1] Applicants note that the Yamaguchi relies on a Japanese application for priority and suggest that use of the word "setup" may have been a translation error. English versions (at least American English versions) of Windows refer to "settings" from which an icon for "control panel," "printer," and "task bar" may be selected.

set up mode" (*see* similar features in claim 34). Applicants respectfully submit that MIS personnel performing a switch is not "automatic." Applicants further submit that "switching" occurs when identification of input data indicates program data after a most recent prior identification indicated setup data (or vice versa), as set forth in claims 12 and 34.

As discussed above, Gazdik and Yamaguchi fail to show or suggest identification bits. Therefore, because there are no identification bits in Gazdik and Yamaguchi, Gazdik and Yamaguchi cannot switch when identification of input data indicates program data after a most recent prior identification indicated setup data (or vice versa)

Accordingly, for at least the reason that neither Gazdik or Yamaguchi, either alone or in combination, do not show or suggest automatically switching, applicants respectfully submit that independent claims 12 and 34, and claims 13-16, which depend from claim 12, are in condition for allowance.

B. Rejection In View Of Pickett and Gazdik

Independent claims 23 and 36 were rejected as being obvious in view of Pickett and Gazdik. Claim 23 features, among other things, "an execution pipeline comprising: a first input coupled to receive setup data and program data from the same input data path" (*see* similar feature in claim 36).

Pickett describes a software architecture for superscalar microprocessors that execute multiple instructions concurrently. The Examiner states that "Pickett [does] not show the receipt or transfer of the setup data and program data as claimed." The Examiner points to Gazdik to meet this deficiency. However, as discussed above, Gazdik does not in any way show or suggest a single input path to receive setup data and program data.

Accordingly, for at least the reason that neither Gazdik nor Pickett show or suggest an execution pipeline comprising a first input coupled to receive setup data and program data from the same input data path, applicants respectfully submit that independent claims 23 and 36, and claims 24-25 which depend from claim 23, are in condition for allowance.

II. Claim Objections

The Examiner objected to claims 6, 11, 15, 20, 25, 29, and 30 for being dependent upon a rejected base claim but indicated that those claims would be allowable if rewritten in independent from including all of the limitations of the base claim and any intervening claims.

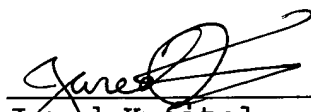
Applicants thank the Examiner for indicating that these claims would be allowable if rewritten in independent

form. Applicants respectfully submit that, as shown above, the claims from which claims 6, 11, 15, 20, 25, 29, and 30 depend are in condition for allowance. Claims 6, 11, 15, 20, 25, 29, and 30 are therefore also in condition for allowance. Applicants respectfully request that the objection to these claims be withdrawn.

Conclusion

In view of the foregoing, independent claims 1, 12, 17, 23, 33, 34, 35, and 36 are in condition for allowance. Dependent claims 2-11, 13-16, 18-22, and 24-32 which depend therefrom, are accordingly also in condition for allowance. This application is therefore in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,



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